

**ENTERED**

January 29, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
LAREDO DIVISION**

**CARLOS H. GONZALEZ,****Plaintiff,****V.****ZAPATA COUNTY *et al.*,****Defendants.**


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**CIVIL ACTION NO. 5:22-CV-116****ORDER**

On December 13, 2023, Defendant Carlo Garcia filed a Motion to Dismiss Plaintiff's Second Amended Complaint for Failure to State a Claim for Relief. (Dkt. No. 66). To date, Plaintiff has not acknowledged this filing. Pursuant to the Southern District of Texas Local Rules, opposed motions are submitted to the judge 21 days after filing. S.D. TEX. L.R. 7.3. Responses to opposed motions must be filed by the submission day. S.D. TEX. L.R. 7.4.A. "Failure to respond to a motion will be taken as a representation of no opposition." S.D. TEX. L. R. 7.4.

Accordingly, Plaintiff is **ORDERED** to file an advisory by **February 2, 2024**, indicating whether he opposes Defendant Carlo Garcia's Motion to Dismiss Plaintiff's Second Amended Complaint for Failure to State a Claim for Relief, (Dkt. No. 66). If Plaintiff is opposed, Plaintiff must also request leave to file an untimely response pursuant to Federal Rule of Procedure 6. Once a deadline has passed, the party seeking an extension must demonstrate that it "failed to act because of excusable neglect." FED. R. CIV. P. 6(b)(1)(B). Plaintiff's failure to file a responsive advisory in accordance with this Order will be interpreted as confirmation that Plaintiff is not opposed to the pending motion to dismiss.

It is so **ORDERED**.**SIGNED** on January 29, 2024.

  
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John A. Kazen  
United States District Judge